

Message Text

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ACTION NEA-10

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FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 9452

C O N F I D E N T I A L NEW DELHI 8408

E.O. 11652: GDS

TAGS: CASC, PFOR, IN

SUBJECT: HARCOS/FLETCHER

FOLLOWING TEL FROM CALCUTTA 1183 SENT NEW DELHI

REPEATED YOU:

QUOTE

CALCUTTA 1183

E.O. 11652: GDS

TAGS: CASC, PFOR, IN

SUBJ: HARCOS/FLETCHER

REF: CALCUTTA 1174

1. TODAY (MAY 28) IN THE SESSIONS COURT, THE PUBLIC PROSECUTOR JETEN BOSE INFORMED PRESIDING JUDGE CHAUDHURI THAT BECAUSE OF INTERFERENCE BY AMERICAN CONSUL GENERAL PICKERING AS REPORTED IN THE LOCAL PRESS, HE BOSE, HAD REQUESTED THE CASE BE TRANSFERRED FROM CHAUDHURI'S BENCH TO ANOTHER, BECAUSE THE CHIEF METROPOLITAN MAGISTRATE OF THE SESSIONS COURT HAD DENIED HIS REQUEST FOUR DAYS AGO HE (BOSE) NOW INTENDS TO APPEAL TO HIGH COURT. BOSE HAS REQUESTED AND BEEN GRANTED STAY UNTIL JUNE 17.

2. CONSULAR OFFICER MADE SPECIFIC POINT OF ASKING PUBLIC PROSECUTOR IF HE WAS ACCUSING CONSUL GENERAL PICKERING OF TRYING TO

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CUTOR IF HE WAS ACCUSING CONSUL GENERAL PICKERING OF TRYING TO

INFLUENCE THE CASE. HE REPLIED HE WAS ONLY BRINGING PRESS STORY TO THE ATTENTION OF THE COURT AND NOTED THAT CG PICKERING HAD NOT DENIED IT. WHEN CONOFF REPLIED THAT HE HAD OBVIOUSLY ONLY READ CERTAIN NEWSPAPERS AND DID NOT SEE THE DENIAL, BOSE SHRUGGED HIS SHOULDERS AND WALKED AWAY.

3. CHAUDHURI'S REACTION IN COURT TO BOSE STATEMENT WAS ONE OF ACUTE EMBARRASSMENT. LATER DUDHWEWALA TOLD CONOFF HE HAD NEVER SEEN SPECIAL BRANCH AND PUBLIC PROSECUTOR SO VINDICTIVE AND WAS UNABLE TO SHED ANY LIGHT ON WHY. ALSO SAID THERE WAS ABSOLUTELY NO FURTHER MOVEMENT TO ACCEPT LESSER PLEA.

4. COMMENT: WE HAVE BEEN TRYING THROUGHOUT THIS CASE TO GET AN IDEA OF WHAT THE PROBLEM IS BETWEEN THE CHIEF MINISTER/CHIEF SECRETARY LEVEL AND THE OPERATING LEVEL OF THE PROSECUTION. WE CANNOT EVEN MAKE A GOOD GUESS. AT THE SAME TIME THE FACT THAT THE PUBLIC PROSECUTOR HAS NOW BROUGHT UP THE PICKERING STORY, WHICH OCCURRED IN MID-JANUARY (ABOUT HIS MEETING WITH CHIEF METROPOLITAN MAGISTRATE SHARMA) MAKES IT RATHER CLEAR HE OR SOMEONE OF HIS SUPERIORS IS FIGHTING TOOTH AND NAIL TO CONTINUE ALONG THE OFFICIAL SECRETS ACT TRACK.

5. WE HAVE JUST LEARNED THIS AFTERNOON THAT HARCOS/FLETCHER HAVE DECIDED TO BEGIN HUNGER STRIKE ON SUNDAY JULY 1. SEPARATE CABLE ON THIS FOLLOWS. CONOFF IS CONCERNED THAT WHEN THEY START THEIR STRIKE THERE MAY BE GREAT DIFFICULTY IN GETTING THEM TO END IT. I CONCUR AND CONSIDER THIS SERIOUS PARTICULARLY IN VIEW OF THE PROSECUTION'S CONTINUALLY HARDENING POSITION.
ROSSELOT UNQUOTE
SCHNEIDER

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